

ARIEL DAHAN, of full age, hereby affirms and states under penalty of perjury:

1. I am an attorney licensed to practice law in the State of New York
2. I am currently serving as an Assistant District Attorney of Rockland County.
3. I am a congregant, and consider myself a member of Mosdos Chofetz Chaim Inc, for over 10 years, although I am not a party before this court at this time.
4. I am one of the Cantors of the congregation due to the unfortunate passing of my father from Covid -19. Four of my family members have passed away from the Coronavirus, and two of them were Members of Mosdos Chofetz Chaim as well.
5. I was vetted by Mosdos' Rosh Hakahal (Leader of the Congregation)¹, and am called up to lead the services by Mosdos' various Gabbis (sextons) whenever appropriate.
6. On Friday, April 16, I received a letter from Michael Levine that on behalf of his client, Chofetz Chaim Inc (Hereinafter, "CCI"), that they are in possession of the building and I was banned from entering the main synagogue in the Kiryas Radin Campus.
7. The premise of Mr. Levine's letter is false. The Mosdos community, led by Rabbi Mayer Zaks, has never left the building. We have been in possession of the property since we built it, and continue to pray there. The alien corporation CCI was created by the rabbi's brother, Aryeh Zaks, in an elaborate scheme to steal the property of the congregation and rob \$15 million in equity from the same.
8. Apparently, based off of Mr. Levine's letter, the reason for my being removed from my fellow congregants is because I entered the building in the company of our community's Grand Rabbi – Rabbi Mayer Zaks. It is for this reason I am punished.
9. It is simply outrageous to think that a person, in good standing with his community, could be banned from praying in his synagogue which is open to the public. It is against Jewish law and, in my personal opinion, illegal in the State of New York to physically bar any worshipper from peacefully praying at a lawfully assembled prayer service.²
10. Mr. Levine's letter goes on to say that "one of [Grand Rabbi] Meyer Zak's sone [sic] is now apparently telling people that they are somehow able to prevent the Ramapo Police Department from removing them from the building. We sincerely hope that you have not contacted the Ramapo Police Department in that regard." While normally I would dismiss Mr. Levine's crackpot conspiracy theories as harmless, Mr. Levine served this letter to me at the District Attorney's office. District Attorney Thomas E. Walsh II has begun an inquiry to establish the veracity of this allegation and my character has been recklessly defamed by Mr. Levine's baseless remarks. This, of course, is nothing new, Aryeh has been harassing me for years now.

¹ Mr. Grunwald vetted me by ensuring my Hebrew and knowledge of the liturgy before approving me to represent the congregation before the L-rd.

² One of the reasons the congregants have had to bring this suit is because Aryeh has refused to listen to the beth din arbitration he agreed to go to. The congregants now have no choice but to rescue our synagogue through the secular court system.

11. Of course I deny the allegation unreservedly.³ I have not been in contact with the Ramapo Police Department regarding removing our rabbi, or anyone else, from Mosdos Chofetz Chaim's building.⁴ Although, I am not surprised that the police are standing down as it is illegal under NY Penal Law 240.70(c) to intimidate, force, or interfere with a person seeking to exercise the right of religious freedom at a place of religious worship.⁵ It is unlawful to do so under the NYS Constitution⁶ I am in the process of reporting Mr. Levine's unethical, unlawful, and illegal threat to the relevant authorities. At the same time, it is also unlawful for the congregation to be told as to who their rabbi should be.⁷
12. This is now the fourth attempt by Aryeh Zaks that I am aware of to have me fired, or not work, for the District Attorney's office. I don't know what I did to deserve Aryeh dedicated focus on achieving this goal.
13. Attached is a declaration by Rabbi Mordechai Orbach I received Sunday.⁸ In it, Rabbi Orbach paints a completely different picture than the one Aryeh described in his supplemental declaration. In fact, paragraph 5 of his declaration turns out to be more fake news from the Aryeh Zaks / Michael Levine printing press. Aryeh was never assaulted by Rabbi Brody. To those who know Rabbi Brody, it's unimaginable to believe he could do such a thing.⁹ It's not a "he said she said" situation like Aryeh would want you to believe.¹⁰ Yet another congregant has come forward to repudiate what Aryeh is telling this Court.¹¹ When will the lies stop?¹²
14. Mr. Levine's letter also indicated that they confirmed my presence on Mosdos' property via video recording. Upon Information and belief, since this Court lifted the status quo order, Aryeh

³ While I'm denying the litany of horrible things I'm accused of in Aryeh's declaration, let me say that I am not involved in drafting or writing any of Rabbi Mayer's pro-se letters or motions. I don't have the time, energy, or knowledge, to help him with this case. While I'm denying claims from Aryeh's rumor mill, let me also say that I am not preparing declarations of any witnesses or anything of that sort. My intentions were to always stay out of this case, Yet Aryeh keeps dragging me into it.

⁴ In the Bankruptcy case, Mr. Levine accused me of being the mastermind of some sort of collusion between Rabbi Mayer Zaks and Mark Blisko, both members of the Board of Trustees of Mosdos. He based this farcical allegation off a privileged email inadvertently turned over to him and he refused to disgorge himself of the email when requested by counsel. This is in direct violation of FRE 502, FRCP 26(b)(5)(B), and the NY Rules of Professional Conduct 1.6(c). Legal ethics is not Mr. Levine's strong suit. Ultimately, this Court denied that portion of the inlimine motion.

⁵ Mr. Levine would have this Court believe that the Mosdos Synagogue is private property, like an extension of Aryeh's living room. It is not. It is at the very least a quasi-public house of worship that is open to all 24 hours a day, 7 days a week. There are no locks on the doors, all of humankind are welcome at any time to come in and worship the G-d of Israel and contemplate the meaning and purpose of life. *For my house shall be called a house of prayer for all nations.* Isaiah 56:7.

⁶ New York State Article Three and Twelve.

⁷ RCL Section 5, and 200.

⁸ I have only just become aware of this proceeding because Mr. Levine never put me on notice it was occurring and I am not a party, how this doesn't violate Due Process is beyond me.

⁹ *Her ways are ways of pleasantness, and all her paths are peace.* Proverbs 3:17

¹⁰ Where's the video footage of this encounter? Everything in Kiryas Radin is being recorded now.

¹¹ I believe the count of witnesses coming to support Rabbi Mayer and our congregation is close to 40 at this point, while the only witness Aryeh has brought forward outside of the Greens and his own family is Mr. Benezra. More on him later.

¹² In Paragraph 17 of Aryeh's declaration, he mentions a "Rabbi Fogel" being harassed by the Grand Rabbi. I don't know who that is. He is likely another fake person similar to Yom Henig, a fake trustee of CRDI who certified the monthly statements of their accounting before this Court.

Zaks has been installing a sophisticated camera system with voice recording capabilities throughout the Kiryas Radin Campus.

15. The surveillance system has discouraged myself and others from congregating and talking outside on the greens and the parking lot, for fear of Big Brother Aryeh Zaks eavesdropping in. Aryeh has a history of tracking people with his Orwellian security system.
16. From the moment I enter Kiryas Radin I feel like my every movement is being tracked by Aryeh Zaks. It reminds me of the song by The Police – Every step I take, every move I make, every breath I take – Aryeh Zaks is watching me. Frankly – it’s creepy that he does things like this.
17. Aryeh Zaks should not be allowed to run the Mosdos Campus like North Korea. He can’t ban people from coming to pray based off of who they associate with. It is illegal and unlawful. He shouldn’t be able to stalk people with his surveillance system like he did with me and others. It’s disgusting.

Shabbos in Mosdos

18. I was at the Shabbos services on the weekends mentioned by Aryeh and Henoah. I was the cantor for the Friday afternoon service on each of the weeks mentioned. Because the Grand Rabbi comes extremely late to the afternoon services,¹³ according to the Mosdos tradition, I waited for Aryeh to finish his prayers before continuing the service. This should not be mistaken as some sort of respect granted to Aryeh.¹⁴
19. On April 30th, when I finished the afternoon, pre-sunset service, David Sorscher continued the prayers and was the cantor for the evening service. Unlike Aryeh’s declaration Tzvika Zaks did not lead the service for the congregation. After the service, the congregation left the synagogue, and Rabbi Mayer, for religious reasons, chose to pray the evening prayer at a later hour with his family and students.¹⁵ It is that prayer service that Aryeh is complaining about.
20. Had Aryeh prayed with the congregation, instead of imposing himself upon Mayer’s private congregation, he would have been given the honor of being waited on before continuing the service.¹⁶ Aryeh invented this insult just so he could come to this Court to complain about our Rabbi. These are self-inflicted wounds to Aryeh’s pride.
21. On Saturday, the same thing happened. Aryeh went to pray with the 8 am service which consists mostly of Rabbi Mayer’s students. Rabbi Mayer officiated the 8:45 am service for the congregation. Instead of completing his prayers with the earlier service, Aryeh left those worshippers, to join Rabbi Mayer’s congregation. Again, Aryeh complains to this Court that he was insulted by not being permitted to speak or get any of the honors related to being a rabbi because the true Grand Rabbi was officiating at the service. What he does not tell you is that he could have officiated at the earlier service of Rabbi Mayer’s students and no one would have

¹³ I believe Rabbi Mayer prays at an earlier service.

¹⁴ As this Court is aware when I appeared last year on “Keeping up with the Zaks’s”, I have no respect for Aryeh as a rabbi – he simply is not. However, according to the rules of our faith, the cantor waits for the closest relationship by consanguinity to the revered *Chofetz Chaim*. When Aryeh’s older brother, Rabbi Mayer, is in the synagogue the congregation waits for him, and when he isn’t, the congregation waits for the next person in lineage to the *Chofetz Chaim*. I waited for Aryeh because of his blood, not because of his stature. I’d sooner take direction on Jewish Law from the Pope over Aryeh after the countless betrayals he has committed on our community.

¹⁵ I’m told Tzvika lead that prayer service on behalf of his father. Out of about 60 congregants, only 10 stayed behind to pray with him.

¹⁶ Is this seriously what Aryeh has to complain about? Seriously?

stopped him given his status as a bloodline to the *Chofetz Chaim*, and because the Grand Rabbi was not praying with them He again chose to leave that service so that he could be insulted when he didn't get his honors.¹⁷

22. This happened on the following Sabbaths. After not being on the Kiryas Radin campus for Shabbos in almost two years, Aryeh was afforded the same honors he's been getting for the past 20 years.
23. Mosdos is a welcoming congregation. If Aryeh has congregants that want to pray in our synagogue he is most welcome to bring them and lead his own service as he was able to do for the past 20 years. No one is interfering with that. If Aryeh wants to officiate a service of Mosdos members, he is free to do so as well – so long as the Grand Rabbi Mayer is not there. I am not aware of a single member of Mosdos that considers Aryeh to be the Grand Rabbi of the congregation. There is no other congregation at 50 Kiryas Radin but the Mosdos congregation that Aryeh is asking this Court to force us to accept as Grand Rabbi.
24. I also would like to congratulate Aryeh on finding his first congregant in Mr. Benezra. Sure – he's not a member of Mosdos, or lives in the United States, apparently, but Aryeh has for the first time articulated a congregant that supports him as Grand Rabbi.¹⁸
25. I would also like to welcome to the litigation Aryeh's newest son-in-law Nesanel Hillman.¹⁹ I am not sure if he knows what he is getting himself into, he seems like a nice guy. I am also not regarding Henech's Declaration at all, as he is now well known in the community for perjuring himself before this Court.²⁰ I don't know what to say about my former Talmud study partner, Abraham Zaks' declaration. Only that as of May 7, 2021, I have never owned, or was in possession of a pistol, let alone committed the crime of bringing a handgun into a synagogue. And also, I am not anyone's bodyguard. They just make this stuff up as they go along.

Relief Requested

26. I don't understand why Aryeh has singled me out as the only congregant he wants to ban from the synagogue. He doesn't ban Mr. Rosenblum or Mr. Schlissfeld, who both denied Aryeh the honor of Shlishi because Grand Rabbi Mayer was present at the service.²¹ He doesn't ban our Rosh Hakahal Mr. Grunwald, who sued him in this Court. He doesn't choose to ban the 18 students and the countless congregants who have testified on our Grand Rabbi's behalf. Or the congregants who have openly insulted him. Just me.

¹⁷ Again, the Court doesn't have to take my word for it, there are cameras all over Mosdos that will verify the truth of these events.

¹⁸ I have several questions about Mr. Benezra's declaration, among them that Aryeh has not been to Mosdos on Shabbos in almost two years, so I don't understand why he was "looking forward to his weekly Shabbos speech" since Aryeh has not been giving one in all that time.

¹⁹ It appears Aryeh has run out of children to use in his fraudulent activity that he now has his son-in-laws writing declarations on his behalf. Besides for Mr. Benezra, the only witnesses this Court has ever seen from exclusively Aryeh's side are his family members, and the Greens who assisted him in the fraud.

²⁰ As this Court is no doubt aware, Henech and Aryeh were caught planning with Mr. Feuerstein how to kosherize the illegal, fraudulent sale of Mosdos on a newly discovered recording. There they admit that Rabbi Mayer was on the board the entire time (until it was expedient for them to say he wasn't).

²¹ Last Shabbos, Aryeh chose to wait a little longer at the 8 am service and got Shlishi there.

27. This Court doesn't have to take my word for any of what I wrote, It's all available on video.²² This is the sorry state of affairs in our congregation, Aryeh is trying to manipulate this court into doing what no other court would do – violate my NY state constitutional and civil rights by denying my right to worship at a public house of worship.
28. Aryeh wants this court to sit as a landlord-tenant court and find that Mosdos is not in possession of the Kiryas Radin building.²³ Aryeh also wants this court to sit as a religious court and force upon the congregation a new Grand Rabbi.²⁴ Aryeh is asking this Court to do what he legally cannot do – ban people from a public house of worship on the basis of who they consider to be their rabbi. This Court should not grant him this relief. Let him go to landlord-tenant court and start an ejectment proceeding on our congregation. Let him try to sue me for trespass in state court. Instead, Aryeh chooses to come to this Court for his request because it is the only Court that has been receptive to his arguments thus far.²⁵
29. I am asking this Court not to divorce me from my fellow congregants, and not to divorce us from our Grand Rabbi. I would like to continue saying the Kaddish prayer and lead the services in honor of my father's memory, in the place my cousins, uncles and grandparents helped build.

I declare under penalty of perjury that the foregoing is true and correct.



Ariel Dahan

Monsey, New York

May 23, 2021

²² I can't think of a single witness Rabbi Mayer produced in the previous adversary proceeding that the court found credible.

²³ The argument alone is preposterous. Mosdos' tables and chairs are set up in the building. Our holy books and Torah scrolls are there. The same religious officers run the operations and services for the past decade. The congregants have been paying the utility bills this entire time. The service schedule is set by Mosdos members. There is nothing belonging to "CCI" in the building.

²⁴ I would note that while Rabbi Mayer built the congregation from scratch, gaining followers by leading our congregation through trying times, with his sagely advice and spiritual nourishment, Aryeh wants this Court to coronate him as our grand rabbi by judicial fiat.

²⁵ The Court should take notice of why Aryeh is moving for a protective order in this action with the evidence presented. The only non-family member, non- self-serving declaration he provided this court is that of an Argentine-Israeli (Possibly not even a legal resident) who is clearly not aware of how Kiryas Radin operates. That is the evidence he provided in the hopes of this Court banning our Grand Rabbi. Aryeh actually thinks he has provided sufficient proof that the Zaks interfering with the services in Radin is Rabbi Mayer, and not, in fact, Aryeh. He thinks he will win with what he's provided this Court. I think the Court should reflect on that.

Rabbi Mordechai Orbach hereby declares under penalty of perjury and states the following:

1. I regularly pray at the Synagogue of Kiryas Radin. I have prayed there regularly there for the past decade.
2. On the morning of Shabbos, May 8th 2021 I was praying the morning services in the Library. (Generally, the *Minyan* I pray with, conduct the services in the basement of the Synagogue building. This Shabbos the lights were off in the basement and the services were conducted in the library).
3. I have read paragraph 5 of the first supplemental declaration of Aryeh Zaks.
4. The incidents alleged in that paragraph, (1) that Nochum Brody assaulted Aryeh Zaks and that Aryeh Zaks luckily got away and (2) that Nochum Brody blocked Aryeh Zaks and Gershon Zaks from entering the sanctuary and (3) that Nochum Brody raised his voice at Aryeh Zaks and verbally abused Gershon Zaks, all did not occur.
5. I witnessed the following scene at about 9:10 that morning.
6. At the end of the *Shachris* prayer, Aryeh Zaks left the library, to enter the main sanctuary where another *Minyan* was conducting services.
7. On his way out he walked past Nochum Brody.
8. After he passed Nochum Brody, Nochum addressed him and invited him to continue praying the rest of the services together with the Minyan in the library.
9. Specifically, Nochum told him (in Yiddish) "maybe you would like to continue [praying] here".
10. Aryeh did not accept Nochum's invitation and continued to enter the main sanctuary.
11. I was within five feet of the incident when I witnessed it.

Spring Valley, New York
May 20, 2021



Rabbi Mordechai Orbach



Notary

ISAAC GRUENEBAUM
Notary Public, State of New York
Reg. No. 01GR6396523
Qualified in Rockland County
Commission Expires September 3, 2023

LEVINE & ASSOCIATES, P.C.

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April 16, 2021

Via Priority Mail and e-mail (arieldahan1@gmail.com)

Ariel Dahan, Esq.
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Monsey NY 10952

1003 Route 45
Pomona, New York 10970

RE: Chofetz Chaim Inc.

Dear Mr. Dahan:

The undersigned is counsel to Chofetz Chaim Inc. ("CCI"), the sole tenant of the main synagogue/yeshiva building (the "Building") located on the Kiryas Radin campus on Kiryas Radin Drive. That property is owned by our client's landlord, Congregation Radin Development Inc. You were observed (which observation was confirmed via video recording) entering the Building in the company of Rabbi Mayer Zaks. As you undoubtedly know, Rabbi Mayer Zaks and his family has been barred by CCI from entering the Building and is aware that them doing so constitutes a trespass. As you also undoubtedly know, Rabbi Mayer Zaks and his family have ignored the notice that they are not permitted to enter the Building and have repeatedly trespassed therein. One of Mayer Zaks' sons is now apparently telling people that they are somehow able to prevent the Ramapo Police Department from removing them from the Building. We sincerely hope that you have not contacted the Ramapo Police Department in that regard.

Regardless, because your accompaniment of Rabbi Mayer Zaks into the Building constitutes, in our view, aiding and abetting his trespass therein, CCI has directed me to advise you that, effective immediately, you are **HEREBY PLACED ON NOTICE THAT YOU ARE BANNED FROM ENTERING THE BUILDING FOR ANY PURPOSE WHATSOEVER; YOU HAVE NO PERMISSION OR LICENSE TO DO SO; AND ANY SUCH ENTRY OR ATTEMPT TO ENTER BY YOU SHALL BE DEEMED A TRESPASS AND DEALT WITH ACCORDINGLY.** If you claim that you have any personal property located in the Building, you can contact me or CCI's agent and we will attempt to make a reasonable accommodation to

LEVINE & ASSOCIATES, P.C.
ATTORNEYS-AT-LAW

Ariel Dahan, Esq.
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forthwith permit you to retrieve any such property in the presence of a security officer. However, as of today, you are immediately and permanently barred from entering the Building for any purpose.

Be guided accordingly.

Very truly yours,



MICHAEL LEVINE